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## **Environment Committee Public Hearing**

**Monday, March 1, 2010**

**Testimony on behalf of the Housatonic Resources Recovery Authority**

**Submitted by Cheryl D. Reedy, Director**

**In Support of HB 5122 – An Act Establishing a Paint Stewardship Pilot Program**

Thank you Chairmen Roy and Meyer, Ranking Members Chapin and McKinney and members of the Environment Committee for the opportunity to submit this testimony prepared on behalf of the Housatonic Resources Recovery Authority (HRRA), a regional solid waste and recycling management organization located in western Connecticut, and its eleven member municipalities, i.e. the City of Danbury and the Towns of Bethel, Bridgewater, Brookfield, Kent, New Fairfield, New Milford, Newtown, Redding, Ridgefield and Sherman.

### **Problem to be Addressed**

Managing unused and unwanted leftover paint in an environmentally responsible manner is a problem in Connecticut. An estimated 740,000 gallons of paint goes unused in the State each year. Only 18% of that volume, mostly oil-based paint, finds its way each year to one of the household hazardous waste (HHW) collections sponsored by and paid for by municipalities (and their taxpayers) throughout the State.

Despite the fact that latex paint can be recycled, there is currently no site in the State where consumers can drop off leftover latex paint for recycling. We advise our residents to take the lid off latex paint cans, mix the leftover paint with kitty litter or speedi-dry, and then put the dried paint into the regular garbage. It is a messy and bothersome process that only the committed complete. And it unnecessarily adds to the volume of solid waste disposed of in the State.

Paint disposal accounts for about 40% of the \$150,000 cost for the four HHW collections offered to residents in the HRRA region each year. We estimate that it costs local taxpayers about \$4.50 per gallon to dispose of paint brought to our HHW collections. If relieved of the cost of paint disposal at HHW collections, our member municipalities could either save \$150,000 per year in total or choose to hold additional HHW collections, increasing convenience and accessibility for residents.

### **Product Stewardship Concept**

Product stewardship, such as the State's electronics recycling law and the rechargeable battery program voluntarily developed by battery manufacturers, holds producers responsible for the end of life costs of managing their products. Encouraging a waste management system that relies on producer responsibility can reduce public costs, increase recycling rates, and drive improvements in product design that promote environmental sustainability. The paint product stewardship initiative is also consistent with the CT Solid Waste Management Plan which says,

in part, "Solid waste management efforts in Connecticut will be guided by the principle of shared responsibility or "product stewardship".

### **Benefits of Paint Product Stewardship Legislation**

The paint product stewardship law proposed would require paint manufacturers to create, finance and manage an environmentally sound, cost-effective paint stewardship program, including strategies to reduce the generation and promote the reuse of post-consumer paint, and to collect, transport and process post-consumer paint for end-of-life management through reuse, recycling, energy recovery or disposal. The program would be paid for through a small stewardship fee added to the price of each container of paint sold in the State. The cost of proper end-of-life management of paint through the paint stewardship program will be only about 25% of the current cost for disposal of paint through municipally financed HHW collections.

The paint product stewardship proposal is one of those rare bills that is a win-win-win. It has the support of the paint industry, recycling and environmental organizations as well as municipal and regional organizations representing more than 75% of Connecticut's municipalities. (See the attached list of supporters.) The paint product stewardship program will save municipalities and property taxpayers money and increase paint recycling and reuse. It will make it easier and more convenient for consumers to properly dispose of leftover paint.

### **Support Substitute Language**

The American Coatings Association has submitted substitute language to address some concerns with HB 5122 as written. We support this substitute language. Of particular importance to HRRA members in the substitute language are the following:

1. We much prefer creation of a permanent paint stewardship program rather than a pilot program.
2. We do not support setting a specific stewardship assessment fee in the legislation. Costs will change over time and may vary depending upon the size of the container. We support the substitute language. The paint manufacturers' program would be required to annually submit independently audited financial statements showing that the assessment is set at a level that covers only the cost of the program and does not produce a profit.
3. To ensure coordination with the existing local programs as much as possible, we support language that requires the plan to "'address the coordination of the architectural paint stewardship program with existing HHW collection infrastructure as much as is reasonably feasible and mutually agreeable."

### **Importance to HRRA and Other CT Municipalities/Regions**

It is an indication of how important paint product stewardship legislation is to Connecticut municipalities that eight regional hazwaste/solid waste agencies representing a majority of the State's municipalities jointly contributed \$10,000 to the Product Stewardship Institute so that they and the American Coatings Association would choose our state as one of the early roll out states for what will eventually be a national program. The State of Oregon was first, passing legislation last year. California, Vermont and Connecticut are next in line for early roll out. **There are a number of other states clamoring to move up on the list, states that would love to take Connecticut's place if we do not pass paint product stewardship legislation this year.**

This is the only legislative priority for HRRA and our member municipalities for 2010. We ask for the Committee's consideration and support. Thank you!

### Who Supports the CT Product Stewardship Paint Initiative?

- **American Coatings Association (ACA)** – national non-profit representing the paint and coatings industry, including architectural paint manufacturers
- **Product Stewardship Institute (PSI)** - national non-profit that facilitates product stewardship dialogue between state and local governments, environmental groups, businesses and manufacturers
- **CT Product Stewardship Council (CPSC)** – state, regional and local government representatives and other interested stakeholders organized to explore and raise awareness of product stewardship as an important tool to reduce solid waste and increase recycling.
- **Towns/Cities:** Avon, Bethel, Brookfield, Branford, Hamden, Kent, Middletown, Manchester, \*New Canaan, New Fairfield, Newtown, North Branford, North Haven, Redding, Sherman, Woodbridge, and more every day.
- **Sierra Club of CT**
- **CT Recyclers Coalition (CRC)**
- **CT Department of Environmental Protection (DEP)-**
- **Regional governmental organizations representing more than 75% of CT municipalities:**
  - **\*HazWaste Central**– representing the municipalities of Bethany, Branford, Cheshire, East Haven, Fairfield, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, West Haven, Wallingford and Woodbridge
  - **Sharon/Salisbury Resources Recovery Authority**
  - **CT River Estuary Regional Planning Agency (CREPA)** – representing the municipalities of Chester, Clinton, Deep River, Essex, Killingworth, Lyme, Old Lyme, Old Saybrook and Westbrook
  - **\*Southeast CT Regional Resources Recovery Authority (SCRRA)**– representing the municipalities of Colchester, East Haddam, East Lyme, Franklin, Griswold, Groton, Lebanon, Ledyard, Montville, New London, North Stonington, Norwich, Preston, Salem, Sprague, Stonington and Waterford
  - **Litchfield Hills Council of Elected Officials and Northwest CT Council of Governments** – representing the municipalities of Colebrook, Cornwall, Goshen, Canaan, Hartland, Harwinton, Kent, Litchfield, Morris, Norfolk, North Canaan, Roxbury, Warren, Washington and Torrington
  - **\*Central Naugatuck Valley Council of Governments (CNVCOG)** – representing the municipalities of Beacon Falls, Bethlehem, Middlebury, Naugatuck, Oxford, Southbury, Thomaston, Waterbury, Watertown and Woodbury
  - **Tunxis Recycling Operating Committee**– representing the municipalities of Berlin, Bristol, Burlington, Meriden, New Britain, Plainville, Plymouth, Prospect, Southington and Wolcott
  - **\*Metropolitan District Commission (MDC)** – representing the municipalities of Ansonia, Avon, Bloomfield, Canton, Cromwell, Derby, Durham, East Granby, East Hampton, East Hartford, Ellington, Enfield, Farmington, Granby, Hartford, Middlefield, Middletown, Newington, Portland, Rocky Hill, Seymour, Simsbury, South Windsor, West Hartford, Wethersfield, Windsor and Windsor Locks
  - **\*Housatonic Resources Recovery Authority (HRA)** – representing the municipalities of Bethel, Bridgewater, Brookfield, Danbury, Kent, New Fairfield, New Milford, Newtown, Redding, Ridgefield, Sherman
  - **\*Capitol Region East Operating Committee (CREOC)** – representing the municipalities of Glastonbury, Hebron, Manchester, Marlborough, Somers, Stafford and Vernon
  - **\*Mid Northeast Recycling Operating Committee (MidNEROC)** – representing the municipalities of Andover, Ashford, Bolton, Chaplin, Columbia, Coventry, Eastford, Mansfield, Tolland, Union, Willington and Windham
  - **\*CT Resources Recovery Authority (CRA)** – managing solid waste and/or recyclables for 110 CT municipalities

*\* One of the governmental organizations that jointly contributed \$10,000 to the National Product Stewardship Institute so that they and the American Coatings Association would choose CT as one of the early roll out states for what is a national initiative.*

